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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 BOARD OF TRUSTEES OF THE PIPE  
9 TRADES DISTRICT COUNCIL NO. 36  
10 HEALTH AND WELFARE TRUST FUND, et  
al.,

No. C 06-2000 MEJ

**CONDITIONAL DISMISSAL**

11 Plaintiff(s),

12 vs.

13 CHESTER PLUMBING & SUPPLY, INC., a  
California Corporation,

14 Defendant(s).  
15 \_\_\_\_\_/

16 On November 22, 2006, Plaintiffs in the above-captioned matter filed a notice of settlement.  
17 Accordingly, IT IS HEREBY ORDERED that this case be dismissed with prejudice, and the Clerk of  
18 Court shall close the file. However, if any party shall certify to the Court, within sixty days and  
19 proof of service on opposing counsel, that the agreed consideration for said settlement has not been  
20 delivered, this Order shall stand vacated and the case shall be restored to the calendar for trial.

21 **IT IS SO ORDERED.**  
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23 Dated: January 12, 2009

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26 MARIA-ELLEN JAMES  
27 United States Magistrate Judge  
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